



## MINUTES

### SPECIAL COUNCIL MEETING NOVEMBER 18, 2008

The City Council of the City of Forest Hill met on the above date at 7:01 p.m. with Mayor James Gosey presiding. The following council members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Gerald Joubert, Dulani Masimini, Andrew Sanders, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debbie Maness, Fire Chief Pat Ekiss, Police Chief Rex Phelps, Acting Public Works Director Roberto Duenes, Finance Director Clifford Blackwell, III, Economic Development and Community Relations Director Venus Wehle, and City Attorney Bonnie Goldstein.

#### **Opening Agenda:**

##### **A. Call to Order**

With a quorum present, Mayor Gosey called the meeting to order at 7:01 p.m.

##### **B. Invocation**

Invocation was delivered by Mayor Pro Tem Sami.

##### **C. Pledge of Allegiance to Flags**

Pledge to the United States and Texas flags were recited.

##### **D. Recognitions**

**911 Kid Hero Certificate – Presented to Daju Montgomery by Police Chief Rex Phelps and Alisha Simmons from Tarrant County 911 District**

**Windy Morehead was presented Certificate of Merit and Merit Award Bar by Police Chief Rex Phelps**

**“My Boss is a Patriot” Award and “Above and Beyond” Award - Presented to City Manager, David Miller, Police Chief Rex Phelps, and Fire Chief Pat Ekiss by Vee Villanueva with Employer Support of the Guard and Reserve**

**Recognition of Galveston relief efforts by members of Forest Hill Fire-Rescue - Certificate for Recognition for Services Performed Above and Beyond the Call of Duty was presented to Assistant Fire Chief Randy Chapman, Lieutenant Tom Bransford, Engineer Jay White and Firefighter Jason Green by Fire Chief Pat Ekiss**

- E. Citizens Presentation:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

No one spoke at this time.

**F. Public Hearings**

1. Case #PZ 2008-08 to receive citizen's comments regarding a request for a re-plat of Lots 6 and 7, Block 19 of the Trentman City Addition. The proposed legal description being Lot 6R, Block 19 of the Trentman City Addition, in the City of Forest Hill, Tarrant County, Texas as requested by Barclay Waddell.

**Mayor Gosey opened the public hearing 7:31 p.m.**

**With no one to speak, Mayor Gosey closed the public hearing at 7:31:49 p.m.**

2. Case #PZ 2008-09 to receive citizen's comments regarding a request for a zone change of 10.25 acres with the legal description being Tract 42J of the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas. The property is located at 6908 Anglin Drive. The zoning at the present time is "R2" (Single Family Residential) and is proposed to rezone to "R4" (Single Family Residential) for the purpose of building a subdivision allowing Single Family Attached Town Homes as requested by Don Sneed.

**Mayor Gosey opened the public hearing at 7:32 p.m.**

"Link" Linkenhoker, 4716 Parkwood Drive, Forest Hill, Texas spoke against the zoning change. Don Sneed, 5204 Jacksboro Highway, Fort Worth, Texas spoke in favor of the zoning change.

**Mayor Gosey closed the public hearing at 7:35 p.m.**

- G. Consent Agenda:** - All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
3. Consider minutes of October 21, 2008 special council meeting.
  4. Consider Resolution No. 17-2008 adopting an amended City of Forest Hill Investment Policy.
  5. Consider quarterly Investment Report for period ending September 30, 2008.
  6. Consider Ordinance No. 2008122, an ordinance amending Ordinance No. 200648, to delete the prohibition of PEX tubing.
  7. Consider Resolution No. 16-2008, authorizing CAPP to negotiate an electric supply agreement for deliveries of electricity and necessary related services effective January 1, 2009 through December 31, 2013.

Motion was made by Council Member Joubert to accept consent agenda items 3, 4, 5, 6, and 7. Motion was seconded by Council Member Thomas and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey.

Nays: None

**H. Deliberation Agenda:**

**8. Discuss and consider Case # PZ 2008-08, applicant requesting approval of replat of Lots 6 and 7, block 19 of the Trentman City Addition. (Pat Ekiss, Acting City Planner)**

Ms. Bernice Taylor Johnson, Chairperson of the Planning and Zoning Commission, presented to the council the information that was received and reviewed by the commission at the November 3, 2008 meeting. She stated at the November 3, 2008, Planning and Zoning Commission, Mr Waddell came before the commission requesting approval of a replat of lots 6 and 7 of the Trentman City Addition with the current addresses being 3157 and 3161 Sabine Street. The proposed legal description would be lot 6R, block 19 of the Trentman City Addition with the address being 3161 Sabine Street. The members of the Commission had voted unanimously to approve the replat of Lots 6 and 7 of the Trentman City Addition.

Motion was made by Mayor Pro Tem Sami that the council accept the recommendation of the Planning and Zoning Commission to approve the replat of Lots 6 and 7 of the Trentman City Addition. Motion was seconded by Council Member Thomas and **passed** as follows:

Ayes: Council Member Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey.

Nays: None

**9. Discuss and consider Case # PZ 2008-09, applicant requesting approval of a zone change for a 10 acre tract of land, with the address of 6908 Anglin Drive from R2 to R4. (Pat Ekiss, Acting City Planner)**

Ms. Bernice Taylor Johnson, Chairperson of the Planning and Zoning Commission, presented to the council the information that was received and reviewed by the commission at the November 3, 2008 meeting. Ms. Johnson stated that the applicant was requesting approval of a zone change for a 10 acre tract of land just south of the Parkwood Drive on Anglin Drive with the address of 6908 Anglin Drive. The current zoning is R2 and requesting to change the zoning to R4. Ms. Johnson also stated that since there was no one present at the meeting to ask questions, the commission voted unanimously to deny the zoning change.

Mr. Sneed of 5204 Jacksboro Highway, Fort Worth, spoke before the council.

Motion was made by Council Member Thomas to deny the zoning request for R4 and to the extent allowed by ordinance waive the six month waiting period to re-file. Seconded by Council Member Joubert and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey.

Nays: None

**10. Discuss and consider positions for the Planning and Zoning Commission.** (Pat Ekiss, Acting City Planner)

Ms. Bernice Taylor Johnson, chairperson of the Planning and Zoning Commission stated that the commission had a vacancy to replace Council Member Dalcour because of his election to the Council, and another due to absences. Ms. Taylor stated that the commission had received three applications for the positions. They were Pamela Stockton, Ray Rhyne and David Gainer. An application for Mr. Eric Paul was given to the council at the meeting for consideration.

Council Member Thomas made a motion to remove Ms. Frankie Mathis from the Planning and Zoning Commission because of the number of unexcused absences. Seconded by Council Member Joubert and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami, and Mayor Gosey.

Nays: None

Council Member Thomas made the motion to accept Ms. Stockton's application to serve on the Planning and Zoning Commission. Seconded by Mayor Pro Tem Sami and **passed** as follows:

Ayes: Council Members Dalcour, Thomas Joubert, Sanders, Mayor Pro Tem Sami and Mayor Gosey

Nays: Council Member Masimini

Council Member Masimini made a motion to accept Mr. Eric Paul's application to serve on the Planning and Zoning Commission. Motion was second by Mayor Gosey and **failed** as follows.

Ayes: Council Member Masimini and Mayor Gosey

Nays: Council Members Dalcour, Thomas, Joubert, Sanders and Mayor Pro Tem Sami

Council Member Thomas made the motion to accept Mr. Rhyne's application to serve on the Planning and Zoning Commission. Motion was seconded by Council Member Joubert and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Sanders and Mayor Pro Tem Sami

Nays: Mayor Gosey

**11. Discuss update on Chevron Energy Study.** (David Miller, City Manager).

City Manager, David Miller introduced Mr. Geoff Howland with Chevron Energy to give the council update on the progress of the energy study. Mr. Howland stated they are basically complete on every item with the exception of the testing of the accuracy of the water meters. They expect to have the contract before the council mid-December. Ms. Lisa Stickler of Chevron Energy also addressed the council and explained the procedures for choosing which meters were chosen to be tested for accuracy.

The city manager reminded the council that this is a budget neutral project, which means that the cost of the updates will be recouped through the savings in energy and more accurate meters.

**12. Discuss and consider Parks Master Plan** (David Miller, City Manager)

Motion was made by Mayor Pro Tem to accept the Parks Master Plan which includes the passage of Ordinance No. 2008123. Seconded by Masimini and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey.

Nays: None

**13. Discuss and consider the purchase of 3101 Horton Street for new Public Works Building.**  
(David Miller, City Manager)

City Manager informed that council that the price of the building located at 3101 Horton Drive has been negotiated to \$400,000 and anticipate spending addition \$50,000 to give the building a face. City Manager is requesting that council authorize the city manager enter into the contract, contract to be forward to finance director for \$4,000 earnest payment, and forwarded to city attorney to review the contract.

Motion was made by Council Member Sanders to authorize the City Manager to enter into a contract to purchase 3101 Horton Drive. Seconded by Council Member Joubert and passed as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Sanders, Mayor Pro Tem Sami and Mayor Gosey.

Nays: Council member Masimini.

- I. RECESS INTO EXECUTIVE SESSION** - Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

**14. Pending or Contemplated Litigation or to seek the advice of the City Attorney pursuant to Section 551.071.**

City of Forest Hill vs. David Vestal and Charles Gardner

David Vestal vs. City of Forest Hill

Destructors, Inc. vs. City of Forest Hill

No Drill Lease Agreement with Chesapeake

**15. Section 551.074, Texas Government Code: Personnel Matters (1) to deliberate the appointment, employment, employment evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:**

City Prosecutor Position

**Council recessed into Executive Session at 8:21 p.m.**

**J. Reconvene into regular session.**

Council reconvened into regular session at 9:06 p.m.

**K. Take any action necessary pursuant to executive session.**

There were no actions taken pursuant to executive session.

**L. Adjournment**

With no further business to discuss, council adjourned at 9:06 p.m.

Respectfully submitted,

Approval:

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Debra W. Maness, City Secretary

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James Gosey, Mayor